

COZEN O'CONNOR
Christopher Raleigh
45 Broadway, 16th Floor
New York, New York 10006
(212) 509-9400
Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff/Counter-Defendant,

V.

**TELLER FAMILY IRREVOCABLE
TRUST VI, by and through its trustee,
GERSON SONTAG a/k/a GERSHON
SONTAG, and TELLER FAMILY
IRREVOCABLE TRUST VII, by and
through its trustee, BEZALEL
BERNSTEIN a/k/a BTALEL
BERNSTEIN.**

Defendants/Counter-Plaintiffs.

No. 2:10-cv-05604-SDW-MCA

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Declaration of Jessica L. Wilson, dated March 7, 2011, the exhibits attached thereto, and upon all the pleadings and proceedings in this case, Plaintiff American General Life Insurance Company will move this court on April 4, 2011, for an order:

a) Dismissing Defendants' claims for fraud and consumer fraud for failure to state a claim pursuant to Federal Rules of Civil Procedure 8(a) and 12(b)(6);

- b) Dismissing Defendants' claims for fraud and consumer fraud for failure to plead fraud with particularity pursuant to Federal Rule of Civil Procedure 9(b);
- c) Dismissing Defendants' claims for declaratory judgment for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6);
- d) Dismissing Defendants' claim for unjust enrichment for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6); and
- e) Awarding such other relief to which American General may be justly entitled.

DATED: March 9, 2011.

Respectfully submitted,

By: /s/ Christopher Raleigh
Christopher Raleigh, Esq.
COZEN O'CONNOR
45 Broadway, 16th floor
New York, New York 10006
Attorneys for Plaintiff
American General Life Insurance Company

OF COUNSEL:

EDISON, McDOWELL & HETHERINGTON, LLP

David McDowell
Texas Bar No. 00791222
Jessica L. Wilson
Texas Bar No. 24028230
Phoenix Tower
3200 Southwest Freeway, Suite 2100
Houston, Texas 77027
(713) 337-5580 (Telephone)
(713) 337-8850 (Facsimile)
E-mail: david.mcowell@emhllp.com
E-mail: jessica.wilson@emhllp.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 9th day of March 2011 a true and correct copy of the foregoing has been filed through the CM/ECF system. It is my understanding that a copy of the foregoing will be forwarded by email to all attorneys of record in this case.

/s/ Christopher Raleigh

Christopher Raleigh